

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
COLUMBUS DIVISION

PROGRESSIVE HEALTH AND REHAB :  
CORP., :  
Plaintiff, : Case No. 2:21-cv-00705  
v. : Judge Sarah D. Morrison  
DASCO HME, INC., : Magistrate Judge Kimberly A. Jolson  
Defendant. :  
:

**STIPULATION OF VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff in this action, Progressive Health and Rehab Corp., and Defendant, Dasco HME, Inc., by and through their undersigned counsel, hereby stipulate to the dismissal of this action with prejudice as to Plaintiff's individual claims, without prejudice as to class allegations, each side to bear its own costs.

**Plaintiff, PROGRESSIVE HEALTH AND  
REHAB CORP.:**

By: /s/ Matthew E. Stubbs  
Matthew E. Stubbs – Ohio Bar #0066722  
MONTGOMERY JONSON LLP  
600 Vine Street, Suite 2650  
Cincinnati, OH 45202  
Telephone: 513-241-4722  
Email: [mstubbs@mojolaw.com](mailto:mstubbs@mojolaw.com)

Ryan M. Kelly (*admitted pro hac vice*)  
ANDERSON + WANCA  
3701 Algonquin Road, Suite 500  
Rolling Meadows, Illinois 60008  
Email: [rkelley@andersonwanca.com](mailto:rkelley@andersonwanca.com)

**Defendant, DASCO HME, INC.:**

/s/ Joseph D. Kern  
David M. Schultz (*pro hac vice*)  
John P. Ryan (*pro hac vice*)  
Joseph D. Kern (*pro hac vice*)  
Hinshaw & Culbertson LLP  
151 North Franklin Street, Suite 2500  
Chicago, IL 60606  
Tele: 312-704-3464  
[jkern@hinshawlaw.com](mailto:jkern@hinshawlaw.com)

Ian D. Mitchell – Bar #0090643  
Reminger Co., L.P.A.  
525 Vine Street, Suite 1500  
Cincinnati, OH 45202  
Tele: 513-721-1311  
[imitchell@reminger.com](mailto:imitchell@reminger.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 7, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Matthew E. Stubbs